

**COMMENTS ON INITIAL DRAFT MODIFICATIONS TO THE SITING
REGULATIONS**

July 23, 2001

Commissioners,

My name is Issa Ajlouny and I have never heard of the CEC until the summer of 1999 when Calpine Corporation came to town and wanted to build a power plant in my neighborhood. I feel like I have learned a lot in the past 2 years and would say I am a much better citizen in San Jose because of the current CEC process.

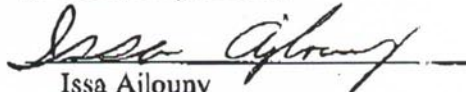
The CEC process and rules hold an important part in licensing power plants in the state of California. I see the current process as a fair a viable way to license power plants with public participation being a key part in that process. I can only come to this conclusion because I have been participating as an intervener over 2 years in the Metcalf Energy Centers proposed power plant in South San Jose. I've been told many times by the CEC staff that they appreciate the communities involvement because things are brought to their attention by the community that otherwise would not of been. This kind of process can only happen when all topics have workshops and the public is noticed of these workshops. By allowing meetings to take place without a public notice only takes away the fairness that now is in place. When a homeowner lives on a street 1/2 mile from a proposed power plant, the only option they have is to protect their families, schools and neighborhood is by becoming a participant in the energy commission siting process. When you change the rules to give the applicant a free ride to certification you effectively restrict me from protecting those that I love. The current rules in place prove to be fair. Why change it to take away from the public and give to those that already have the advantage. You already have all the tools to manage each and every case before you.

Commissioner Laurie, you might feel the process allowed for wasted time in the Metcalf Case because of all the public participation. You know better than I do that most of your cases before the commission is not as difficult as Metcalf. To change all the rules because of your experience at Metcalf is unfair. You also might be thinking of the hardship that MEC has had on the community. Let me make it clear right now; if this power plant were licensed without our involvement it would have been a much greater hardship. We as a community feel very good about our participation and would do it all over again. If not the community to protect us, then who? Maybe the CEC staff. Well that's not a bad idea if the management and counsel of the CEC staff did not over rule their testimony as they did in the MEC case. You should be researching a way for the staff experts on each topic to testify truthfully without any manipulation by CEC management and counsel as was proven by internal CEC documents. By taking away my right to participate robs me from protecting my family and community.

As far as the changes in the area of who can intervene, cross-examine and testify. I again can only talk from my experience of the Metcalf case. Let's be honest, if it were not for the interveners, the entire outcome of the PMPD would have looked different then it does today. Please respect the process and rules that are in place today. I only ask you to look to enforce them and not let unnoticed conference calls with the CEC staff and Applicant continue as it did in the Metcalf case. This only excludes the public and increases this mistrust that already exist between government agencies and the public.

My statements above are just some of the few reasons I am opposed to the proposed changes in Sections 1212, 1710, 1712 and 1714.5 of the Siting Regulations.

Respectfully Submitted,


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